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C O N F I D E N T I A L SECTION 01 OF 02 PHNOM PENH 000492

SIPDIS

STATE FOR EAP/MLS, P, D, DRL

E.O. 12958: DECL: 07/14/2019  
TAGS: [PGOV](#) [PHUM](#) [PREL](#) [KJUS](#) [CB](#)  
SUBJECT: MU SOCHUA TO DEFEND HERSELF AT DEFAMATION HEARING

REF: A. PHNOM PENH 469  
[1](#)B. PHNOM PENH 413 AND PREVIOUS

Classified By: AMBASSADOR CAROL A. RODLEY FOR REASONS 1.4 (B, D)

[1](#)1. (C) SUMMARY: In a June 14 meeting with the Ambassador, Mu Sochua discussed the impending defamation trial, her long term goals should her immunity be reinstated, and a potential U.S. Congressional hearing on human rights in Cambodia. Claiming that she does not want to put another lawyer at risk, Mu Sochua stated that she will represent herself at the July 24 hearing. However, she is willing to accept whatever verdict is handed down, and will not appeal. Instead, she will focus on recovering her immunity so that she can better help her constituents and the Cambodian people. The Ambassador assured continued embassy support to include engagement with the ruling Cambodian People's Party (CPP) on issues of freedom of speech and human rights. END SUMMARY.

Stateside  
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[1](#)2. (C) During a requested meeting with the Ambassador, Mu Sochua provided updates on her recent trip to the United States which included discussions with the press, Vital Voices (a U.S.-based NGO co-founded by then First Lady Hillary Clinton), and Congressmen Jim Moran (D-VA) and Jim McGovern (D-MA) about the current state of human rights in Cambodia. According to Mu Sochua, Jim Moran stated that he would request a hearing on human rights in Cambodia in September. Mu Sochua was unsure of the exact date or who will be called to testify, but has arranged to extend her planned August vacation in the United States through September in order to be on hand should she be called upon. If asked to testify, Mu Sochua plans to discuss the rights of opposition parties, how the current slate of lawsuits affects human rights in Cambodia, and how the electoral law should be amended in preparation for the next elections. Mu Sochua also stated that the deputy for Melanne Verveer, Ambassador-at-large for Women's Issues, asked Vital Voices to put together a dossier about Mu Sochua's case for Secretary of State Clinton.

Going It Alone  
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[1](#)3. (C) Mu Sochua expressed her appreciation for an embassy escort during her departure to the U.S. and embassy presence at the National Assembly vote on her immunity (Ref B). She then requested an observer also be sent to her trial on July [1](#)24. The Ambassador readily confirmed that an embassy representative will attend the trial. Mu Sochua then went on to state that she will not have a lawyer at the trial because she does not want to jeopardize anyone's job or life. She said she feels guilty about her previous attorney, Kong Sam Onn, who, facing a defamation suit of his own and troubles with the Bar Association, sent an apology to Hun Sen and defected to the ruling party. According to Mu Sochua, Kong Sam Onn picked her up at the airport upon her return from the

United States and personally apologized, stating he and his family were under pressure to find a way out of the lawsuit.

14. (C) Mu Sochua said that she had searched for a new lawyer, but Sok Sam Oeun, the head of prominent legal aid NGO Cambodian Defenders Project (CDP) had turned down her request for representation based on her economic status. "I am rich," she acknowledged, "and CDP represents the poor." However, Sok Sam Oeun reportedly told Mu Sochua that he would agree to represent her if appointed to do so by the court, because "then it's not like I am on your side." She then approached Ou Virak, President of the Cambodian Center for Human Rights, for legal advice. Both he and the UN Office of the High Commissioner for Human Rights (UN OHCHR) have agreed to coach and advise Mu Sochua prior to her trial, but after that she is on her own. The UN OHCHR was able to find a lawyer who is willing to represent Mu Sochua at the trial, but she declined the offer because it "creates a lot of anxiety for the lawyer and I will feel guilty if something happens like to Kong Sam Onn."

15. (C) When asked if she had requested a delay of her trial, Mu Sochua replied that it is not her desire to drag this case out. She feels Hun Sen and the ruling party are using the courts to take the focus off of important issues such as corruption and land. Mu Sochua calmly stated that if the lower court decides against her, which she assumes it will, she will not appeal the case. However, she adamantly said that she will not pay the fine because it would be admitting guilt where there is none, "like you've been raped and the rapist then asks you to pay a fine." She confirmed that the party will pay the fine and that she will submit to party

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discipline.

Immunity and Increased Understanding

16. (C) Mu Sochua then appealed to the Ambassador to continue to support human rights and a role for the opposition, stating it is becoming increasingly difficult to function in a parliament which is "broken." She also indicated that the reinstatement of her immunity would most likely come down to a pardon, which will not happen without international support. The Ambassador affirmed that she would speak out regarding the right to have a defense and Mu Sochua's right to have her immunity reinstated. The Ambassador also assured Mu Sochua that she continues to discuss the unfortunate effect the disinformation suits have had on freedom of expression with senior Cambodian officials.

17. (C) When asked about her long term goals, Mu Sochua stated that she and the SRP plan to play it "low key" and concentrate on the issues. They want respect as an opposition party and want the procedures to be followed in parliament. Mu Sochua herself would like to focus on her constituency, stating that "this situation has taught me a lot." She now understands that confronting the ruling party head-on is counterproductive and like "banging your head against the wall." She therefore plans to encourage the people, especially women, to get more involved in issues of concern. However, she anticipates obstacles along the way given that the governor of Kampot will not receive her for meetings or deal with her in any way. Mu Sochua said she is willing to work more cooperatively with the ruling party should she get her immunity back but may need some interventions on her behalf in order to engage fully. The Ambassador assured Mu Sochua that she will find an opportunity to discuss this with the governor. The Ambassador reiterated that she would keep a close eye on the legal process, on the right to justice and freedom of speech, and that the embassy is available should she need support.

Comment

18. (C) Mu Sochua seemed calm and methodical in her approach to her upcoming trial. She also appeared to understand the need to work constructively with the ruling party in order to advance her human rights, gender equality, and anti-corruption goals. The embassy will seek out opportunities to support these efforts and the reinstatement of her immunity.

RODLEY